

dependent claims provide additional grounds for reversal with respect to most of the dependent claims.

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Claims 20, 22, 23, 25-27, and 29-32 were rejected over Ugawa based upon Official Notice. Appellant traversed all of these rejections and requested, seasonably, that if the Examiner intended to maintain the rejections that publications be cited to supply support for each instance of Official Notice. ~~No such publications were ever cited.~~ Thus, the rejections of these claims are all legally deficient and cannot properly be sustained. Although the limitations of some dependent claims, read in isolation, might represent features of slot machines known in the art at the time of the filing of the present patent application, that knowledge alone is not sufficient to establish that any of the claims rejected based on Official Notice is unpatentable. The issue to be considered, if it is assumed that the limitation of any particular dependent claim was known in the art, is whether it would have been obvious, based upon that knowledge, to have modified Ugawa to produce the invention claimed. Without prior art publications, that issue cannot be resolved. The purported combinations based upon Official Notice are improper so that the corresponding rejections must be reversed.

Dependent claim 18 specifies that the display window provides that symbols appearing on the reels, when the reels are stopped, are visible along each of three straight lines. Ugawa provides for viewing of symbols on three reels only along one straight line because each window displays only a single symbol. This difference between the display according to claim 18 and Ugawa was not addressed in the final rejection. Instead, the Examiner only commented on the second part of claim 18. The rejection is clearly erroneous as to claim 18 and as to claims 19-22, claims that depend directly or indirectly from dependent claim 18.

Claims 20-22 all refer to establishing a winning combination of symbols within the display along diagonal lines that are oblique to the common axis about which the reels rotate. Ugawa's display only displays symbols along a single straight line that is parallel to, not oblique to, the axis about which the reels rotate. The final rejection provides no basis for modifying Ugawa to encompass a display of nine symbols and providing five straight lines, two diagonal and three parallel to the axis of rotation of the reels, as in the embodiments of Figures 2-7 of the patent application and claims 20-22 along which win states can be established.